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September 26, 2024

Via ECF

Honorable Gregory H. Woods
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2260
New York, NY 10007

USDC SDNY
DOCUMENT
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MEMORANDUM ENDORSED

Re: *XTI Aerospace, Inc. v. Chardan Capital Markets LLC*
Case No. 1:24-cv-06590-GHW

Dear Judge Woods:

Our office represents Respondent Chardan Capital Markets LLC (“Chardan”) in the above-referenced matter. Pursuant to Rule 1(E) of Your Honor’s *Individual Rules of Practice in Civil Cases* (“Individual Rules”), the undersigned writes on behalf of Chardan to request an adjournment of the pre-motion conference on Chardan’s proposed motion to dismiss currently scheduled for October 1, 2024, at 3:00 p.m. *See* Docket Entry (“D.E.”) 16)

The undersigned will serve as principal trial counsel for Chardan in this matter, and in accordance with Rule 2(A) of Your Honor’s Individual Rules, is required to appear at all conferences with this Court. As previously noted, the undersigned is not available October 1, 2024, due to a scheduling conflict in a federal criminal matter. *See* D.E. 12. Our office has communicated with Plaintiff’s counsel regarding an adjournment of the pre-motion conference and the parties have agreed to adjourn the pre-motion conference to October 3, 2024, at a time amenable to the Court. The parties have made no other request to adjourn the pre-motion conference.

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Accordingly, Chardan respectfully requests that this Court adjourn the pre-motion conference to October 3, 2024.

Respectfully submitted,

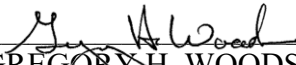
/s/ Mark David Hunter

cc: David B. Gordon, Esquire
Counsel for Petitioner XTI Aerospace, Inc.

Application granted. Defendant's request to adjourn the pre-motion conference, Dkt. No. 18, is granted. The pre-motion conference scheduled for October 1, 2024 is adjourned to October 3, 2024 at 3:00 p.m. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 18.

SO ORDERED.

Dated: September 26, 2024
New York, New York



GREGORY H. WOODS
United States District Judge